

1 JUDGE RICARDO S. MARTINEZ  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9 UNITED STATES OF AMERICA, ) No. CR23-170-RSM  
10 Plaintiff, )  
11 v. ) ORDER CONTINUING TRIAL  
12 RUCHELL GILBERT, )  
13 Defendant. )  
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15 This matter comes before the Court on the defendant's motion to continue the trial and  
16 to set a new motions deadline. Having considered the motion, and all the files and records  
17 herein, the Court finds and rules as follows:

18 THE COURT FINDS, pursuant to Title 18, United States Code, Section  
19 3161(h)(7)(B)(i), that the failure to grant a continuance to May 6, 2024, would be likely to  
20 make a continuation of the proceeding impossible, or result in a miscarriage of justice.

22 THE COURT FINDS, in light of these factors, that it is unlikely that the defense can be  
23 reasonably ready to try this matter before May 6, 2023, at the earliest.

24 THE COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(6) and  
25 (7), that this is a reasonable period of delay, in that defense counsel has indicated he require  
26 more time to prepare for trial and believes that May 6, 2024, is the earliest that they could be

1 prepared to proceed to trial. The Court finds that given the existing trial schedule, that this  
2 amount of time is, in fact, necessary.

3 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date will be continued  
4 until May 6, 2024.

5 IT IS FURTHER ORDERED that the motion deadlines are set in accordance with the  
6 Case Scheduling Order.

7 IT IS FURTHER ORDERED that the time between this date and the new trial date is  
8 excluded in computing the time within which a trial must be held pursuant to Title 18, United  
9 States Code, Section 3161, et seq.

10 IT IS SO ORDERED.

11 DATED this 30<sup>th</sup> day of November, 2023.

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15 RICARDO S. MARTINEZ  
16 UNITED STATES DISTRICT JUDGE  
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